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Message Text

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PAGE 01 STATE 132613
ORIGIN NEA-11

INFO OCT-01 ISO-00 ICA-11 L-03 H-01 CA-01 PPT-01
INR-10 INRE-00 PA-01 SSO-00 /040 R

DRAFTED BY NEA/ARP:D M WINN:LB/ICA/NEA:A M FARSAKH
APPROVED BY NEA/ARP:J R COUNTRYMAN
L/M:K MALMBORG
ICA/NEA:K KEITH (INFO)
L/NEA:T M PEAY
----------106149 242238Z /70
O 242157Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY ABU DHABI IMMEDIATE

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E.O. 11652: N/A

TAGS: CGEN, OEXC, EFIN, SNAR, OVIP (HUMAID BIN RASHID)

SUBJECT: LAWSUIT INVOLVING POTENTIAL IV GRANTEE AND WFC CORP

REFERENCES: (A) ABU DHABI 1469, (B) ABU DHABI 1426, (C) USIAC WASHDC 7870, (D) STATE 109305, (E) ABU DHABI 1174 AND PREVIOUS

1. ICA/NEA AND NEA/ARP HAVE CONSULTED WITH L/NEA IN RESPONSE TO POST'S QUESTIONS PER PARA 6 REFTEL B.

2. WE ARE STILL TRYING TO ASCERTAIN WHETHER H-C COUNTER-SUIT IS BEFORE FLORIDA STATE COURT OR U.S. FEDERAL DISTRICT COURT, AND WILL NOTIFY POST ON THIS POINT ASAP. IF SUIT IS IN FLORIDA COURT, THEN COMPLAINT MAY BE SERVABLE NOT ONLY IN STATE OF FLORIDA, BUT ALSO OUTSIDE OF STATE IF LONG-ARM
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STATUTE IS ON THE BOOKS AND IS APPLICABLE TO THE SUBJECT MATTER OF THE SUIT IN QUESTION. WHILE UNDER NORMAL CIRCUMSTANCES, A SUBPOENA ISSUING FROM A STATE COURT CAN BE SERVED ONLY IN THAT STATE, LEGAL PROCEDURES EXIST FOR EFFECTING SERVICE OUT-OF-STATE. WHETHER SUCH PROCEDURES WOULD APPLY IN THIS CASE DEPENDS UPON WHICH STATES THE SHAIKH VISITED, AMONG OTHER FACTORS.

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3. IF SUIT IS IN FEDERAL DISTRICT COURT, THEN SHAIKH
HUMAID COULD BE SERVED WITH SUBPOENA OR COMPLAINT ANYWHERE
IN U.S. AND DEPARTMENT CAN OFFER HIM NO REPEAT NO
PROTECTION FROM POSSIBLE ACTION BY H-C ATTORNEYS OR AGENTS.

4. THE SHAIKH WOULD NOT ENJOY DIPLOMATIC IMMUNITY FROM
LEGAL ACTION, AS THIS IMMUNITY IS RESERVED FOR DIPLOMATS
ACCREDITED TO THE U.S. AND VISITING HEADS OF STATE ONLY.

5. PLEASE ADVISE RE STATUS OF IV GRANT ASAP.
CHRISTOPHER

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NNN

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Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
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Draft Date: 24 may 1978
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Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: ONLY
Reference: 78 ABU DHABI 1469, 78 ABU DHABI 1426
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Review Content Flags:
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